

REMARKS

Claims 1, 25, 26, 66-74, and 80-81 of the present application have been amended for clarification purposes in order to more accurately define the scope of the present claimed invention.

During a telephonic interview between the undersigned attorney and the examiner on 12/12/05, the various rejections of the claims were discussed with respect to the present invention and the cited prior art references. A summary of the telephonic interview is presented below. At the conclusion of the telephonic interview, the following was agreed:

It was agreed that Rabenko (US6,763,032) does not appear to teach or suggest the following features:

1. wherein the DCMTS resides external to the head end complex;
2. wherein the access network includes a CMTS at the Head End Complex, which is different from the DCMTS;
3. wherein the DCMTS is operable to communicate with the head end using baseband optical signals;
4. wherein the plurality of fiber nodes includes a first fiber node which includes the DCMTS;
5. providing the local clock signal to components at a first fiber node which includes the DCMTS;
6. wherein the plurality of fiber nodes includes a first RF fiber node and a first packet fiber node, the first packet fiber node including the DCMTS;
7. wherein the plurality of fiber nodes includes a first fiber node operable to communicate with the Head End Complex via baseband optical signals.

Additionally, it was agreed that claims directed to a computer readable storage medium would qualify as statutory subject matter under 35 U.S.C. § 101.

It is noted that claims 66-74 have been amended for clarification purposes and are now directed to a computer readable storage medium. Accordingly, it is believed that amended claims 66-74 are allowable under 35 U.S.C. § 101.

Claims 1-8, 10, 12, 34-40, 42, 44 and 46 are rejected by the examiner under 35 USC Section 103(a) as being untenantable over Rabenko (US 6,763,032). This rejection is respectfully traversed.

As amended claim 1 defines:

A method for synchronizing devices in an access network, the access network including a head end complex and a plurality of end nodes which utilize at least one upstream channel and at least one downstream channel for communicating with the head end complex, the access network further including a plurality of fiber nodes interposed between the head end complex and the plurality of end nodes, each fiber node being configured to communicate with the head end complex and the plurality of end nodes via the upstream and downstream channels, wherein at least a portion of the end nodes and fiber nodes each include local clock circuitry for generating a local clock signal, the method comprising:

providing a common clock reference signal to the local clock circuitry in selected network devices to thereby cause each of the selected network devices to be synchronized to the common clock reference signal;

wherein the common clock reference signal is distributed to the selected network devices including a distributed cable modem termination system (DCMTS) that resides external to the head end complex to thereby cause a local clock signal at the DCMTS to be synchronized to the common clock reference signal.

As discussed during the telephonic interview, it was agreed that the Rabenko appeared to teach or suggest an access network which includes a DCMTS residing external to the head end complex. Additionally, it is submitted that Rabenko does not teach or suggest synchronizing a DCMTS device which resides external to the head end complex to a common clock reference signal which is also provided to other network devices in the access network for synchronization purposes. Accordingly, it is believed that claim 1 is neither anticipated by nor obvious in view of Rabenko, and is therefore believed to be allowable.

Independent claim 34 define features similar to those defined in claim 1, and is therefore believed to be allowable for at least those reasons stated above in support of claim 1. Additionally, each of the presently pending dependent claims is also believed to be allowable since it depends upon a respective independent claim.

In regard to the examiner's arguments for rejecting claims 3, 4, 6, 7, 36, 37, 39, 40, and 46 on page 5 of the office action, it is respectfully submitted that the additional features defined in each of these the pending claims are not obvious in view of Rabenko and/or well known

synchronization and communication procedures. In accordance with MPEP Section 2144.03, applicant respectfully requests the Examiner to cite one or more references in support of the Examiner's assertion that the features defined in claims 3, 4, 6, 7, 36, 37, 39, 40, and 46 are obvious variations of well-known synchronization and communication procedures.

Because claims 1-7 and 10-83 are believed to be allowable in their present form, many of the examiner's rejections in the Office Action have not been addressed in this response. However, applicant respectfully reserves the right to respond to one or more of the examiner's rejections in subsequent amendments should conditions arise warranting such responses.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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